

EC-5601. A communication from the Chief, Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "William and Helen Woodral v. Commissioner" (112 T.C. 19(1999); Dkt. No. 6385-9), received October 8, 1999; to the Committee on Finance.

EC-5602. A communication from the Chief, Regulations Branch, Customs Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Interest on Underpayments and Overpayments of Customs Duties, Taxes, Fees and Interest" (RIN1515-AB76), received October 8, 1999; to the Committee on Finance.

EC-5603. A communication from the President and Chairman, Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to a transaction involving U.S. exports to the Kingdom of Thailand; to the Committee on Banking, Housing, and Urban Affairs.

EC-5604. A communication from the Assistant Secretary, Bureau of Export Administration, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Commerce Control List; Medical Products Containing Biological Toxins: ECCN 28351" (RIN0694-AB85), received October 7, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5605. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations; 64 FR 53931; 10/05/99", received October 8, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5606. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations; 64 FR 53933; 10/05/99" (FEMA-7296), received October 8, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5607. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations; 64 FR 53938; 10/05/99", received October 8, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5608. A communication from the General Counsel, Federal Emergency Management Agency, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations; 64 FR 53939; 10/05/99", received October 8, 1999; to the Committee on Banking, Housing, and Urban Affairs.

EC-5609. A communication from the General Counsel, Department of Commerce transmitting a draft of proposed legislation relative to the Trademark Act of 1946; to the Committee on the Judiciary.

EC-5610. A communication from the Secretary of Agriculture transmitting a draft of proposed legislation relative to the administration and enforcement of various laws; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5611. A communication from the Administrator, Agricultural Marketing Service, Marketing and Regulatory Programs, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Sweet Cherries Grown in Designated Counties in Washington; Change in Pack Requirements—Correction" (Docket No. FV99-923-1 FIR), received October 7, 1999; to the Com-

mittee on Agriculture, Nutrition, and Forestry.

EC-5612. A communication from the Administrator, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "School Nutrition Programs: Nondiscretionary Technical Amendments", received October 7, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

EC-5613. A communication from the Director, Office of Regulatory Management and Information, Office of Policy, Planning and Evaluation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Rhizobium Inoculants: Exemption from the Requirement of a Tolerance" (FRL #6380-4), received October 8, 1999; to the Committee on Agriculture, Nutrition, and Forestry.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-365. A resolution adopted by the California-Pacific Annual Conference of the United Methodist Church relative to the United Nations; to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CHAFEE, from the Committee on Environment and Public Works, without amendment:

S. 492. A bill to amend the Federal Water Pollution Act to assist in the restoration of the Chesapeake Bay, and for other purposes. (Rept. No. 106-181).

S. 1632. A bill to extend the authorization of appropriations for activities at Long Island Sound (Rept. No. 106-182).

By Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

H.R. 2724. A bill to make technical corrections to the Water Resources Development Act of 1999 (Rept. No. 106-183).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 1720. A bill for the relief of Mrs. Ruth Hairston of Carson, California by the waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity; to the Committee on Governmental Affairs.

By Mr. COVERDELL:

S. 1721. A bill to provide protection for teachers, and for other purposes; to the Committee on the Judiciary.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 1722. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any 1 State, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. SMITH of Oregon):

S. 1723. A bill to establish a program to authorize the Secretary of the Interior to plan, design, and construct facilities to mitigate impacts associated with irrigation system water diversions by local governmental entities in the Pacific Ocean drainage of the States of Oregon, Washington, Montana, and Idaho; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 1724. A bill to modify the standards for responding to import surges under section 201 of the Trade Act of 1974, to establish mechanisms for agricultural import monitoring and the prevention of circumvention of United States trade laws, and to strengthen the enforcement of United States trade remedy laws; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. DOMENICI (for himself and Mr. BINGAMAN):

S. Res. 202. A resolution recognizing the distinguished service of John E. Cook of Williams, Arizona; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 1720. A bill for the relief of Mrs. Ruth Hairston of Carson, California by the waiver of a filing deadline for appeal from a ruling relating to her application for a survivor annuity; to the Committee on Governmental Affairs.

PRIVATE RELIEF LEGISLATION

• Mrs. FEINSTEIN. Mr. President, I am offering today legislation to assist Mrs. Ruth Hairston, of Carson, California. Identical legislation has passed the House without objection under the sponsorship of Representative JUANITA MILLENDER-MCDONALD. I am pleased to support this effort in the Senate.

Mrs. Hairston requires this extreme step in order to be able to pursue a federal court appeal of the Merit Systems Protection Board (# CSF 2221413), which denied Mrs. Hairston's eligibility for an annuity following the retirement and untimely death of her former husband. The legislation does not require the annuity, but will only permit the filing of an appeal with the United States Court of Appeals. As a result, Mrs. Hairston will be permitted to challenge the denial on the merits, rather than accept the denial due to the failure to file an appeal within thirty days.

I would briefly like to describe the facts that warrant this legislation.

Mr. Paul Hairston retired in 1980, electing a survivor annuity for Mrs. Hairston to receive one-half the retirement benefit under the settlement terms. Mr. and Mrs. Hairston began receiving benefits in 1988.

The Merit Systems Protection Board, which reviews Civil Service retirement

claims, concluded Mr. Hairston had failed to register Mrs. Hairston for survivors benefits following passage of 1985 law, renewing the survivor annuity previously selected in 1985. As a result the spousal survivor benefits for Mrs. Hairston were canceled. Following Mr. Hairston's death in 1995, Mrs. Hairston's benefits, her portion of his retirement benefit under the divorce settlement, ceased. Mrs. Hairston was denied eligibility as a surviving spouse, but did not challenge or appeal the denial of eligibility, due to hospitalization and poor health.

I am pleased to introduce this private legislation to assist my constituent Mrs. Ruth Hairston. While this legislation represents an extraordinary measure, the step is necessary in order to permit her to appeal the denial of eligibility by the Merit Systems Protection Board in federal court. As I have previously stated, this legislation does not require any specific outcome. The federal court will review the appeal with all the rigor the case deserves. However, Mrs. Hairston will receive her day in court and the opportunity to challenge the decision by the Merit Systems Protection Board to deny her eligibility.

I understand Mrs. Hairston is under considerable financial pressure and could face foreclosure on her home. I am pleased to try to assist Mrs. Hairston in her appeal. Mr. President, I hope you and the subcommittee will support this bill so that Mrs. Hairston may begin to rebuild her life.●

By Mr. COVERDELL:

S. 1721. A bill to provide protection for teachers, and for other purposes; to the Committee on the Judiciary.

THE TEACHER LIABILITY PROTECTION ACT OF 1999

● Mr. COVERDELL. Mr. President, I rise today to introduce the Teacher Liability Protection Act of 1999. This legislation provides limited immunity for teachers, principals and other education professionals who take reasonable measures to maintain order and discipline in America's schools and classrooms in order to create a positive education environment. In other words, it allows teachers to do what is necessary to provide an environment conducive to learning without fear of being sued. This bill allows teachers to control their classrooms. It allows teachers to teach.

The ability of teachers and principals to teach, inspire and shape the intellect of our Nation's students is hindered by frivolous lawsuits and litigation. By creating a national standard for protecting teachers and education professionals through limited civil liability immunity, we allow teachers to teach, and we help our children to learn.

Mr. President, we must give educators the resources they need to educate our children, and these resources

include the legal protection necessary to do their job and maintain a safe classroom. Principals must be able to control the schools, teachers must be able to control classrooms. Unruly and unmanageable children must not be allowed to endanger, intimidate or harm other students. It is our responsibility, as members of the United States Senate, to give teachers the legal protections necessary to provide a safe learning environment for all children in their care. We must give teachers the freedom they need to responsibly handle potentially dangerous situations without the fear of frivolous legal reprisals.

Based on the Volunteer Protection Act of 1997, which I introduced and which was signed into law, the Teacher Liability Protection Act would create a national standard to protect every teacher in the country, but would not override any state law that provides greater immunity or liability protection. This bill recognizes the authority of the states on these matters and allows them to opt out of the coverage and provide teachers with a higher or lower level of liability protection if they so choose.

This bill also recognizes that millions of parents across the nation depend upon teachers, principals and other school professionals for the educational development of their children. It affirms the fact that most teachers are hard-working professionals who care deeply for our children and go to extraordinary lengths to help them learn. However, this bill does not protect a teacher when he or she engages in wanton and willful misconduct, a criminal act or violations of State and Federal civil rights laws. It simply protects teachers who undertake reasonable actions to maintain order, discipline and an appropriate learning environment as the public and society expect them to do.

I invite my colleagues to support this important and meaningful legislation and to give our Nation's teachers the freedom they need to educate our children.●

By Mr. THOMAS (for himself and Mr. ENZI):

S. 1722. A bill to amend the Mineral Leasing Act to increase the maximum acreage of Federal leases for sodium that may be held by an entity in any 1 State, and for other purposes; to the Committee on Energy and Natural Resources.

TRONA MARKET COMPETITION ACT OF 1999

Mr. THOMAS. Mr. President, I rise today to introduce a bill which revises an outdated and constricting statute for the number of federal sodium leases which can be held by any single producer within a state. This limitation is damaging the economic viability of an environmental responsible and critical mining industry for our country. The

soda ash industry has been operating under the present acreage limitation for five decades. This cap for lease holdings is the oldest acreage limitation under the Mineral Leasing Act. In fact, sodium is the only mineral subject to the Act which has not had an increase since the law was amended in 1948. It is out of date with the competitive and technological advances in the industry and needs to be changed as we move into the next century.

Specifically this legislation provides the Secretary of the Interior with discretion to increase the federally held acreage of individual sodium producers; the same additional discretionary authority he has had for some time for other mineral categories affected by this law. It would increase the current limitation from 15,360 acres per producer, to 30,720 acres.

The Mineral Leasing Act set forth these limits to ensure that no single entity can control too much of any single mineral reserve. This remains an important objective. A lease limitation ensures that there is sufficient competition, while providing an incentive for development of these reserves and ensures a reasonable rate of return to the Federal Treasury. My bill is consistent with these objectives and seeks only to conform the present limitation to current economic and international conditions. Indeed I am pleased that this bill has the full support of the Wyoming Mining Association, including smaller sodium lease holders, who have traditionally been concerned increasing acreage.

Mr President, I offer this bill after carefully reviewing the need for it in light of current conditions affecting the soda ash industry in my state. In my examination, I have been reminded that U.S. soda ash producers, four (of five) of which are in our state, are extremely competitive with one another for a relatively flat domestic market. And, they are also faced with stiff international competition.

I believe this legislation is necessary to sustain the global competitiveness of the U.S. soda ash industry. Since our state is blessed with the largest known deposits of trona in the world, I am proud to say that the United States sodium industry is also the world's low cost supplier of soda ash. U.S. produced soda ash, critical to glass manufacture, is accountable for a \$400 million positive contribution to our balance of trade. Today, the U.S. soda ash industry comprises five active producers—four in my home state—generating some 12 million tons of soda ash per year, or approximately a third of the world's demand.

But I have learned we cannot take these producers for granted. Like so many other industries basic to our economy such as steel, paper, aluminum, copper, and so on, the soda ash mines must take the measures necessary to stay competitive. I know, as

Chairman of the Foreign Relations Subcommittee on East Asian and Pacific Affairs, that many countries have made it difficult to export U.S. soda ash. They have erected tariff and non-tariff barriers to support their own less efficient domestic producers.

For this season, U.S. producers have formed the American Natural Soda Ash Corporation (ANSAC), in recognition that the growth of U.S. soda ash is dependent on its ability to effectively export. ANSAC is the sole authorized exporter of soda ash and is wholly owned by the six U.S. sodium producers. It accounts for the employment of some 20,000 people in the U.S. and exports more than \$400 million in soda ash to 45 different countries.

This is but one example of how our domestic industry has taken the steps necessary to compete effectively abroad. In addition, the producers in my state are making major investments in modernizing their facilities and sustaining the level of capital investment necessary to continue to be competitive both at home and abroad. The start-up cost for a new soda ash operation is estimated to be at least \$350 million, and to develop a world class mine, \$150 million. This is largely due to the fact that soda ash is mined underground and thus requires a sophisticated processing plant to turn raw ore into the finished products. This is simply the reality of what is required to stay competitive.

At this cost a new entrant, as well as existing producers, must have a predictable "mine plan." A primary component of such a plan is a predictable level of reserves that will last several decades. The legislation I am introducing today would help provide this predictability by giving the Secretary the discretion to raise lease limits on a case-by-case basis if the producer can show it is in need of additional reserves to maintain its operations.

Producers need to know of mine expansion is possible in order to develop structural design plans which are safe, efficient and maximize the large economic outlays. This is the predictability that any manufacturer needs when contemplating a major capital investment. And in the end, it is the capital required, rather than the acreage available, that must be weighed by new entrants.

I would like to note that despite consolidated in the Wyoming trona patch, there is an anticipated new entrant to the soda ash business in our neighboring state of Colorado. Moreover, in Wyoming, six other leaseholders have substantial holdings that could be translated into active production. This bill does not discourage their entry. In fact, by raising the current cap on acreage holdings, it creates an incentive for additional purchase by these holders, one of whom already exceeds the existing limitation.

Raising the acreage limitation for trona is also consistent with good environmental and safety practices followed by this industry. Much of the currently mined out acreage is essential to proper ventilation of ongoing operations and therefore critical mine safety. In addition, the mechanically mined out sections are also available for proper tailings disposal, thus avoiding environmental degradation elsewhere. This is a practice encouraged by our Wyoming State Department of Environmental Quality.

In summary, Mr. President, the bill I am introducing today provides critical changes in existing statutes in order to sustain the economic viability of an environmental responsible and critical mining industry in our country. The current sodium lease limitation is approximately one-third of the per state Federal lease cap for coal potassium, and one-sixteenth the lease acreage cap for oil and gas. After passing the Mineral Leasing Act in 1948, Congress and the Bureau of Land Management have revised acreage limits for other minerals to meet the needs of these industries consistent with good mining and environmental practices. In light of the conditions I have described, I believe it is time we recognize the need to update the lease limitation for the trona industry as well.

I thank you for the time and opportunity to discuss this important legislation. I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1722

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TITLE.

This Act shall be entitled the "Trona Market Competition Act of 1999".

SEC. 2. SODIUM MINING ON FEDERAL LAND.

(a) FINDINGS.—Congress finds that—

(1) Federal land contains commercial deposits of trona, the world's largest deposits of trona being located on Federal land in southwestern Wyoming;

(2) trona is mined on Federal land through Federal sodium leases under the Act of February 25, 1920 (commonly known as the "Mineral Leasing Act") (30 U.S.C. 181 et seq.);

(3) the primary product of trona mining is soda ash (sodium carbonate), a basic industrial chemical that is used for glassmaking and a variety of consumer products, including baking soda, detergents, and pharmaceuticals;

(4) the Mineral Leasing Act sets for each leasable mineral a limitation on the amount of acreage of Federal leases any 1 producer may hold in any 1 State or nationally;

(5)(A) the present acreage limitation for Federal sodium leases has been in place for over 5 decades, since 1948, and is the oldest acreage limitation in the Mineral Leasing Act;

(B) over that time, Congress or the Bureau of Land Management has revised the acreage

limits applicable to other minerals to meet the needs of the respective industries; and

(C) currently the sodium lease acreage limit of 15,360 acres per State is approximately $\frac{1}{3}$ of the per-State Federal lease acreage limit for coal (46,080 acres) and potassium (51,200 acres) and $\frac{1}{16}$ of the per-State Federal lease acreage limit for oil and gas (246,080 acres);

(6) 3 of the 4 trona producers in Wyoming are operating mines on Federal leaseholds that contain total acreage close to the sodium lease acreage ceiling;

(7) the same reasons that Congress cited in enacting increases per State lease acreage caps applicable in the case of other minerals—the advent of modern mine technology, changes in industry economics, greater global competition, and the need to conserve Federal resources—apply to trona;

(8) existing trona mines require additional lease acreage to avoid premature closure, but those mines cannot relinquish mined-out areas to lease new acreage because those areas continue to be used for mine access, ventilation, and tailings disposal and may provide future opportunities for secondary recovery by solution mining;

(9) to enable them to make long-term business decisions affecting the type and amount of additional infrastructure investments, trona producers need certainty that sufficient acreage of leasable trona will be available for mining in the future; and

(10) to maintain the vitality of the domestic trona industry and ensure the continued flow of valuable revenues to the Federal and State governments and of products to the American public from trona production on Federal land, the Mineral Leasing Act should be amended to increase the acreage limitation for Federal sodium leases.

(b) AMENDMENT.—Section 27(b)(2) of the Act of February 25, 1920 (30 U.S.C. 184(b)(2)), is amended by striking "fifteen thousand three hundred and sixty acres" and inserting "30,720 acres".

Mr. ENZI. Mr. President, today I join Senator THOMAS in the introduction of S. 1722, a bill to increase the federal statutory acreage limitation for domestic trona producers. This legislation will bring the federal statutory acreage limitation for trona more in line with acreage limitations for other mineral commodities and will allow American trona producers to remain competitive in the international marketplace well into the twenty-first century.

This legislation will make a small but important change in the federal Mineral Leasing Act that would allow the Secretary of the Interior, at his discretion, to permit a person or corporation to hold sodium leases on federal land of up to 30,720 acres in any one State. This is a two-fold increase over the current discretionary acreage limitation of 15,360 acres. The current limit was established over 50 years ago while the acreage limitation of other minerals, including coal, potassium, and oil and gas, have been increased considerably during that same time in order to meet the needs of these industries. By increasing the federal acreage limitation for trona, Congress will take an important step to ensure future productivity and international competitiveness of an industry that has great

importance for the State of Wyoming and the United States. This legislation will in turn benefit the federal government through continued royalties derived from soda ash mined on federal land.

Mr. President, the State of Wyoming has long depended on the mineral industry as a vital part of its economy. Since one-half of our state is comprised of federal land, private companies must temporarily lease portions of this land in order to extract minerals that benefit the entire country, and indeed, the entire world. The mining of natural soda ash, or trona, is an integral part of the state's economy, especially for those who live in southwestern Wyoming. This trona is mined and converted to refined soda ash (sodium carbonate) which is used in the production of glass, detergents, pharmaceuticals, and other sodium chemicals. Currently, three of the four trona producers in Wyoming are operating mines on federal leaseholds that contain total acreage close to the discretionary sodium lease acreage ceiling. By increasing this federal limit, we will give Wyoming producers the certainty they need to continue and expand their substantial capital investments in the State of Wyoming and allow America to remain competitive in this important mineral industry. This acreage increase represents a modest, responsible modification to the Mineral Leasing Act that takes modern economic realities into account without deterring the entry of new companies into the domestic market for mineable trona.

I urge my colleagues to support the swift passage of this modification to the Mineral Leasing Act in order to ensure stability, growth, and continued international competitiveness of America's trona industry.

By Mr. BAUCUS:

S. 1724. A bill to modify the standards for responding to import surges under section 201 of the Trade Act of 1974, to establish mechanisms for agricultural import monitoring and the prevention of circumvention of United States trade laws, and to strengthen the enforcement of United States trade remedy laws; to the Committee on Finance.

THE AGRICULTURE IMPORT SURGE RELIEF ACT

Mr. BAUCUS. Mr. President, I rise today to introduce the Agriculture Import Surge Relief Act of 1999.

This year's harvest is nearly over in Montana and the rest of the country. But instead of breathing a sigh of relief after a summer of hard work, many of our farmers are holding their breath, wondering whether they will even be able to farm next year. With prices at a 50-year low, global oversupply and unpredictable surges in imports, our rural communities continue to face crisis.

We in the Senate have been working hard to address this triad of problems.

Today, I would like to offer a partial solution to the trade angle—the Agriculture Import Surge Relief Act. This Act addresses surges in agricultural imports.

For a variety of reasons, including overcapacity overseas, misaligned exchanges rates, and low international commodity prices, we may find a sudden, sharp, and unpredictable increase in import levels of particular agricultural product. This type of sudden rise in import levels damage the heart of our economy and our farm communities.

We must do a better job of monitoring these surges so that we see them as soon as they start. And we must do a better and faster job of responding to these surges to provide relief to our producers before they go out of business.

The Agriculture Import Surge Relief Act targets these goals by making several critical improvements in Section 201 of U.S. trade law.

Section 201 is the so-called "safeguard" provision that is designed to prevent serious disruption of our domestic industry because of imports. It is also the very provision that was used by U.S. lamb producers earlier this year to find relief from a surge in lamb imports from Australia and New Zealand. I am pleased that U.S. lamb producers prevailed; but it cost them dearly—in both time and money. Unlike other industries, agriculture is extraordinarily time sensitive. A year-long case can find many producers driven out of business before it ends.

It is also important to note that Section 201 is not a protectionist measure. It is a short-term mechanism used to get an "injured" American industry back on its feet and competing again. I consider Section 201 as a "breathing room" provision. That is, it gives temporary relief to a domestic industry by providing for a short-term restraint on imports that have surged into the United States.

My bill proposes four changes to the way we anticipate and respond to surges in agriculture.

First, the Act amends Section 201 of the Trade Act of 1974 to be more responsive to import surges—for any industry.

Like the Import Surge Relief Act I introduced last May, co-sponsored by Senator LEVIN, this bill eases Section 201's overly strict injury standard. No longer will American industry have to comply with a standard higher than that of our international trading partners. They will simply have to prove an increase in imports over a short period of time which cause or threaten to cause serious injury to the domestic market.

The Act also speeds up the process for addressing import surges. Recently, I hosted a town hall meeting in Kalispell, Montana. Many agriculture lead-

ers expressed their concern that the process of responding to surges is just too long. The same message came through loud and clear last week when a record number of us in the Congress testified before the International Trade Commission regarding imported Canadian cattle. Relief that is too late can mean the devastation of an industry—and the devastation of Rural America.

My bill would cut the time in half for this process and give the ITC Commissioners the ability to make decisions on an expedited basis.

It will also bring credibility to the final decision-making process. As we learned in the lamb case, the President has the ultimate decision-making authority. This means he can accept, change or reject recommendations from the International Trade Commission based on information above and beyond the evidence presented during the laborious hearings.

My bill requires that the President, in deciding whether to take action, focus more than he has in the past on the beneficial impact of a remedy, rather than on the negative impact on other industries. And in do so, he must make provisional relief available on an urgent basis.

Second, the Act establishes an Agricultural Products Import Monitoring and Enforcement Program. The program shall: Promote and defend US policy with respect to import safeguards and countervailing or anti-dumping duty actions if challenged in the World Trade Organization, identify foreign trade-distorting measures, and develop policies and responsive actions to address such measures.

Finally, the bill provides an early warning system. We simply cannot wait until we see that an American industry is devastated. We must be able to project ahead, understand the threats facing an industry, and then consider quickly what type of action to take, if any.

My bill requires the Secretary of Commerce to monitor imports and report its findings on a quarterly basis until 2005. This is absolutely critical to take rapid action.

Finally, with the next round of the World Trade Organization talks approaching, the expiration of the Farm Bill, and uncertainties in global financial markets, anything can happen. U.S. industry, and our farm communities, however, should not bear the brunt.

The Agriculture Import Surge Relief Act will begin to bring stability and predictability back to the system. I urge my colleagues to support this proposal.

ADDITIONAL COSPONSORS

S. 178

At the request of Mr. INOUE, the name of the Senator from Maryland